



## MEETING MINUTES

### VILLAGE OF UNION SPRINGS

MRB GROUP PROJECT NO. 2006.1200

MEETING PURPOSE: DISCUSS VILLAGE WATER SUPPLY CONTAMINATION  
FROM CAYUGA COUNTY SUPERFUND SITE

**Issued:** January 11, 2013

**Meeting Date:** December 11, 2012

**Meeting Time:** 10:30 AM

**Meeting Location:** Village Hall, Union Springs, NY

#### Attendees:

Name	Representing	Phone	Email
Johan Lehtonen	Mayor, Union Springs	315-889-7341	usclerk@verizon.net
Chad Hayden	Village Attorney, Union Springs	315-255-0074	thehaydenlawfirm@aol.com
Bob Kneaskern	SPW, Union Springs	315-889-5680	ussuperintendent@verizon.net
Joan Grela	State Senator Mike Nozzolio	315-568-9816	grela@nysenate.gov
Lisa Salotti	State Senator Mike Nozzolio	315-568-9816	salotti@nysenate.gov
Laurie Colahan	State Senator Mike Nozzolio	315-568-9816	lcolahan@nysenate.gov
Ryan Colvin	President, MRB Group	585-703-7262	ryan.colvin@mrbgroup.com
Tom Caponi	MRB Group	585-381-9250	thomas.caponi@mrbgroup.com
Isabel Rodrigues	US EPA	212-637-4248	Rodrigues.isabel@epa.gov
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Mary Jump	Cayuga Co. DOH	315-253-1405	Mary.jump@dfa.state.ny.us
Mary Jane Peachey	DEC- Syracuse	315-426-7403	mjpeache@gw.dec.state.ny.us
Ken Lynch	DEC - Syracuse	315-426-7403	kplynch@gw.dec.state.ny.us
Bruce Natale	County Planning	315-253-1203	bnatale@cayuga.county.us

#### 1.0 INTRODUCTIONS

- Agenda and sign-in sheet (see attached) was distributed.
- Individuals present introduced themselves.

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## 2.0 BACKGROUND:

- Ryan Colvin and Tom Caponi, representing MRB Group, presented the background of the project and its effects on the Village of Union Springs. A Power Point presentation was displayed at the meeting (copy attached).
- The Village's groundwater supply has been impacted by contamination from the Cayuga County Superfund Site. Figures 1 and 2 in the presentation (attached) illustrate the location of the Site and the Village and the direction of groundwater flow from the site.
- The Village seeks reimbursement for past expenditures to install treatment equipment on their water supply to address this contamination, for operational expenses associated with this equipment, and for future required capital and operational expenditures.
- A recent EPA report (Proposed Plan, Cayuga County Groundwater Contamination Superfund Site, July 2012) identified the source of the contamination as the Powerex facility in Auburn. The EPA has identified General Electric Company (GE) as a potentially responsible party under CERCLA for the Site.
- The Village operates two water wells approximately 100 yards apart completed in the same formation. These wells are the only water supply for the Village.
- The Village water system provides service to approximately 705 equivalent dwelling units (EDUs) within the Village, and approximately 354 EDUs within the Town of Springport. Assuming 2.72 persons per household (2010 Census for Cayuga County), this is a population equivalent of approximately 2,880 persons. Note that the population served provided in the Meeting Agenda (attached) reported only the Village population from the 2010 Census (1,238 persons).
- Results of sampling of the Village's raw water supply were reviewed (see attached presentation). As noted in the Agenda (attached), Cis-1, 2 DCE was detected in all samplings for 2011-2012, and at concentrations above the State MCL in 4 of 5 samples. TCE was detected in 3 of 5 samples for 2011 - 2012. Recent sampling results provided by the Village at the meeting showed Cis-1, 2 DCE was again above State MCLs and that TCE was above detection levels. There does not appear to be any discernable pattern to the concentrations from these data, and there are no indications that concentrations are decreasing. Rather, the concentration in the latest sample for Cis-1, 2 DCE was among the highest detected.

- As a result of this contamination, the Village installed an air stripper in Year 2001 to remove the contamination. The Village has been operating the air stripper since that time. Operations and Maintenance (O&M) activities and costs include groundwater sampling and analysis, chemical feed to control scaling, periodic and annual cleaning of packing material, pumps and blower maintenance, chemical cost and power cost. Without a second air stripper, maintenance crews are required to work at night to take the stripper out of service for cleaning or other major maintenance activities.
- It was discussed that the air stripper unit has a limited service life and may require replacement once or maybe twice before raw groundwater no longer requires treatment to address this contamination.
- According to the Village, the cost of the air stripper system was approximately \$750,000. The Village estimates O&M costs are approximately \$30,000 per year.
- The Cayuga County Department of Health (DOH) indicated that a redundant (spare) air stripper unit and emergency power sufficient to power the air stripper is required in accordance with NY State rules, and that the Village is required to add these units. The EPA requested a copy of these rules and the 10 States Standards that are referenced by the NY State rules. The EPA stated that they would consider adding this requirement to the Record of Decision (ROD) as applicable or as relevant and appropriate requirements (ARARs) to be satisfied by the Remedial Action, which could allow for cost recovery for this action by the Village.
- MRB Group stated that the cost to add a redundant air stripper unit and standby generator with capacity to power the air stripper, would be similar to the original construction cost. Including 40 years of O&M cost (11 years since 2001, plus 30 years for remediation), initial construction costs plus capitalized interest to 2012, and additional construction costs, total costs borne by the Village could exceed \$4 million.

### **3.0 PROPOSED REMEDIAL ACTION AND POTENTIAL FOR COST RECOVERY (EPA):**

- EPA representatives presented the remedial action plan for the Site from the Proposed Plan issued in July. The EPA described the preferred remedy as consisting of Enhanced In-Situ Biological and Abiotic Remediation for Area 1, and Monitored Natural Attenuation for Areas 2 and 3. As also stated in the Proposed Plan, the timeframe to meet groundwater remediation objectives in each of the three areas is expected to exceed 30 years.
- The EPA indicated that as a matter of policy, EPA has decided not to fund the operation and maintenance of ground or surface water measures

taken for the primary purpose of supplying drinking water. This policy is found in the preamble to the National Contingency Plan. EPA does from time to time provide drinking water or fund water line extensions to provide alternate water supplies under its removal authorities. It was discussed that EPA and/or GE funded treatment of drinking water and/or extensions of water lines for farmers in the area whose water supply was impacted. MRB Group pointed out that the Village action to install the air stripper was an emergency action in response to the contamination of their source water that was required to achieve compliance with State Drinking Water Maximum Contaminant Levels (MCLs).

- EPA representatives were not certain whether inclusion of State requirements for emergency generation capacity and a redundant air stripper in the ROD would result in the ability for future costs incurred by the Village to be covered by their program.
- Previous attempts by the Village to attain cost recovery from General Electric were discussed. In 2004 a Tolling Agreement was drafted and forwarded to GE in an attempt to provide protection for the Village against statute of limitation issues. Execution of the Agreement by GE was not achieved. It was reported that GE would not sign the Agreement while the Site was still under investigation and until the responsible party was determined.
- Based on the foregoing discussion, it appears that the Village would have to institute action directly against GE to recover any past capital, O&M and perhaps any future costs.
- EPA was not certain when the final ROD would be issued. The ROD is the document that formalizes the selection of the remedy for a site. EPA stated that they were meeting with the representatives of the Cayuga Nation in January and depending on the outcome of that meeting would be better able to address when the ROD would be issued.
- Union Springs requested to be able to review the ROD prior to issuance. EPA indicated that the draft ROD is not open to public comment and that only EPA and State agency representatives would review the draft ROD.

#### 4.0 FUNDING OF REQUIRED IMPROVEMENTS:

- Funding options for required improvements were discussed by the attendees. MRB Group indicated that funding for these types of projects are available through the State Drinking Water Revolving Funding (DWSRF), US Department of Agriculture (USDA) and Community Development Block Grants. Income levels in Union Springs are typically above funding levels for grant programs and hardship considerations under these programs. At best, it appears that a low interest loan may be

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available through the DWSRF, which is administered by the NYS Environmental Facilities Corporation (EFC).

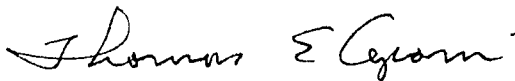
**5.0 ACTION ITEMS:**

- EPA requested a copy of NY State rules requiring emergency generation capacity and the 10 States Standards that are referenced by the NY State rules. Cayuga County DOH stated that they would forward a copy to EPA.
- EPA will verify whether they are able to include items in the ROD to provide for future costs incurred by the Village.
- The Village will consider funding options for required improvements and investigate litigation options for cost recovery from GE.

MRB Group will work with State Senator Nozzolio's office to schedule the next meeting. A conference call was suggested in order to reduce required travel.

The above is our summation of our meeting. If you have any additions, comments and/or corrections please contact me for incorporation into the minutes. After five (5) days, we will accept these minutes as an accurate summary of our discussion and enter them into the permanent record of the project.

Respectfully submitted,



Thomas E. Caponi, P.E.  
MRB Group Engineering, Architecture & Surveying, P.C.

**Attachments:**

- 1) Meeting Agenda and Sign-In Sheet
- 2) Power Point Presentation

**Agenda**  
**Meeting Concerning the Cayuga County Superfund Site**  
**Village Hall, Union Springs, NY**  
**December 11, 2012**

- I.     Introductions/Sign-In Sheet
  - A.   Office of State Senator Michael F. Nozzolio
  - B.   Village of Union Springs
  - C.   US Environmental Protection Agency (EPA)
  - D.   Cayuga County Health and Human Services Department (DOH)
  - E.   New York State Department of Environmental Conservation (DEC)
  - F.   MRB Group
  - G.   Other parties
  
- II.    Background (Village of Union Springs/MRB Group)
  - A.   Location of Site and Village (Figures 1 and 2)
  - B.   Population served – over 1,200 residents plus Village businesses and Union Springs Schools
  - C.   Previous action by the Village (photos of air stripper unit)
  - D.   Recent monitoring results by Village at Water Supply Well (Raw Water)
    - Cis-1,2 DCE detected in all sampling for 2011-2012
    - Cis-1,2 DCE detected at concentrations above the State MCL in 4 of 5 samples
    - TCE detected in 3 of 5 samples for 2011 – 2012
  
- III.   Proposed remedial action (EPA)
  
- IV.    Concerns of County DOH and DEC
  
- V.     Action required by the Village and costs
  
- VI.    Possible recourse/cost recovery by the Village

SIGN-IN

Name	Organization	phone	e-mail
Tom Capponi	MRB Group	585-381-9250	thomas.capponi@mrbgroup.com
Eileen O'Connor	Cay Co Health Dept	315 253 1405	eileen.oconnor@dca.state.ny.us
JOHAN LEHTONEN	UNION SPRINGS	(315) 889-7341	MAYOR
Joan Grela	Senator Mike Nozzolio	315 568-9816	grela@ny.senate.gov
Lisa Salotti	Senator Nozzolio	"	salotti@ny.senate.gov
Lauren Colahan	Senator Nozzolio	"	lcolahan@ny.senate.gov
Isabel Rodriguez	EPA	212-637-4248	Rodriguez-Isabel@epa.gov
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Ken Lynch	DEC	"	klynch@gov.dec.state.ny.us
Ryan Colvin	MRB Group	585-703-7862	ryan.colvin@mrbgroup.com
Mary Jump	Cayuga Co. Health Dept	(315) 253-1405	Mary.Jump@dca.state.ny.us
Bruce Natale	County Planning	253-1203	bnatale@cayugacounty.us
Bob Kraske	SPW	US	

# **Meeting Concerning the Cayuga County Superfund Site**

**Village Hall, Union Springs, NY**





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Union Springs, NY  
Photos of Air Stripper System on  
Municipal Drinking Water Groundwater Supply

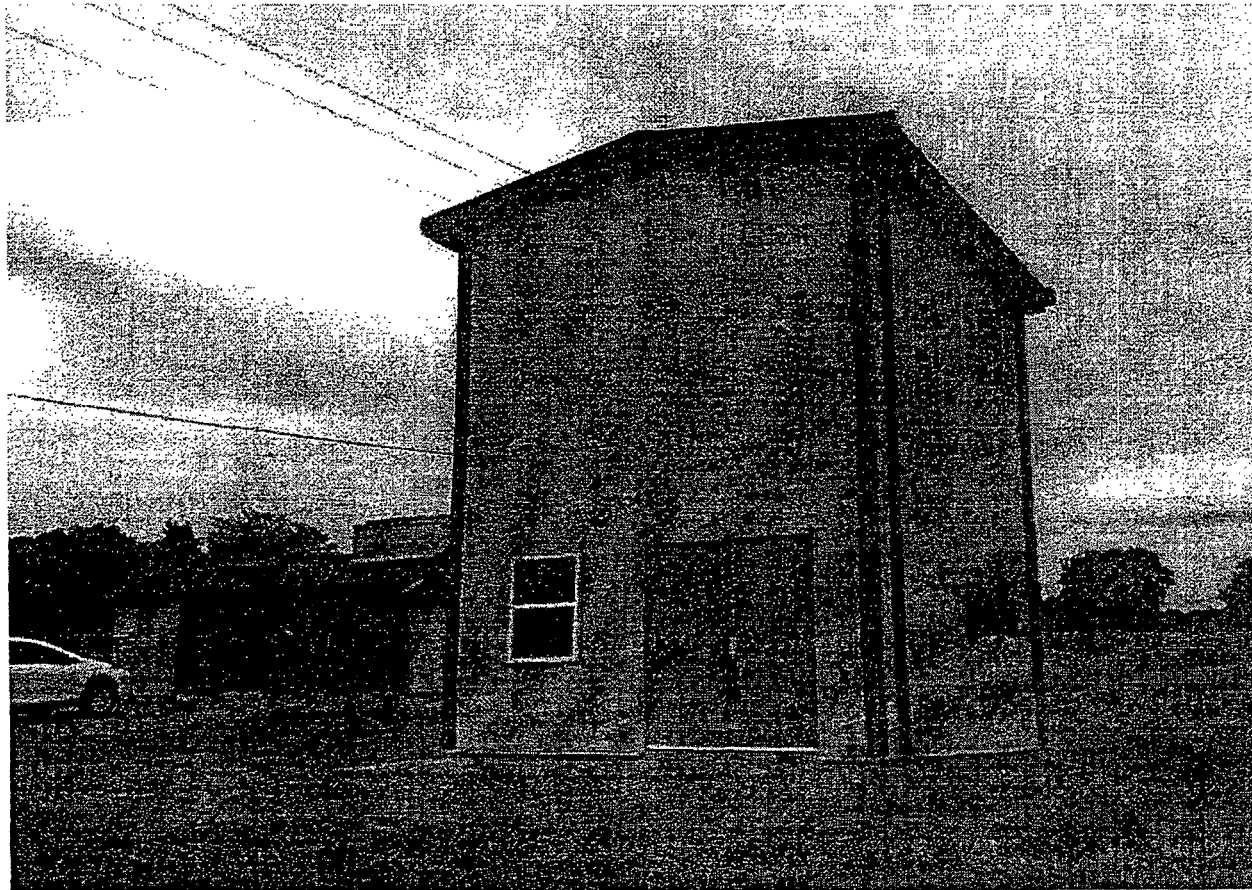


Photo 1 – Air Stripper building with Well No. 1 and Generator building in background



Photo 2 – Air stripper unit

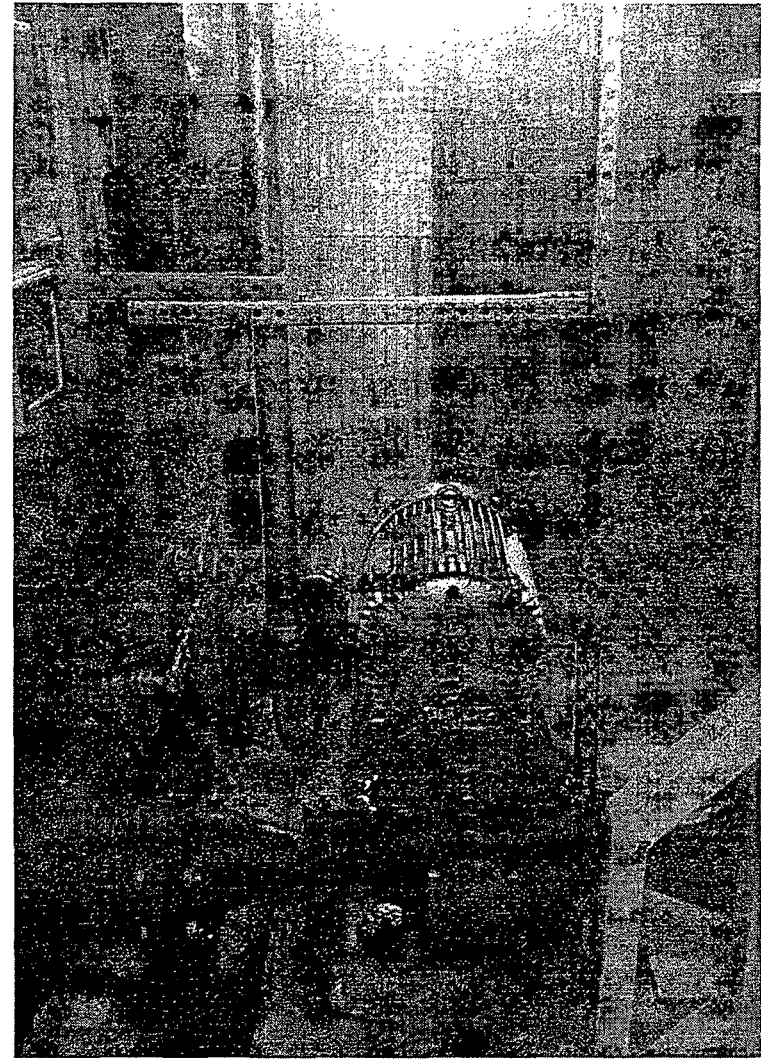


Photo 3 – Transfer pump for air stripper unit

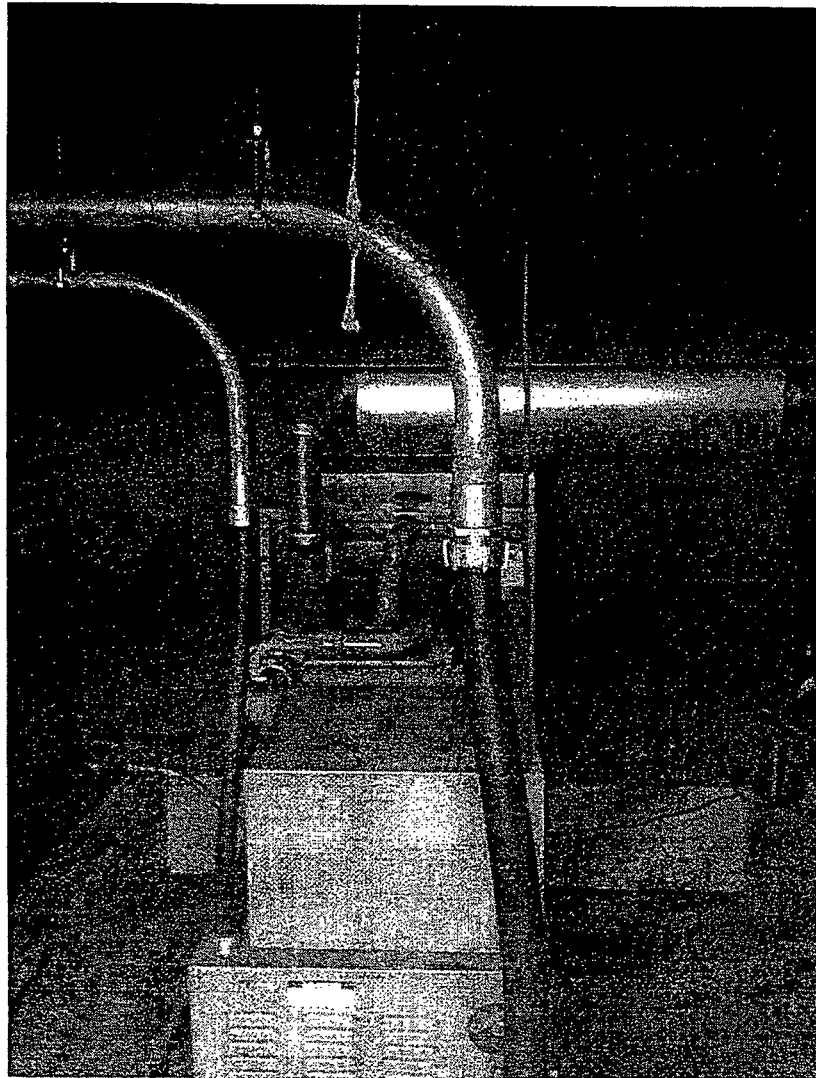


Photo 4 – Existing generator  
(note: generator does not have sufficient capacity to power the air stripper)



# ENVIRONMENTAL LABORATORIES

SAMPLING & ANALYSIS • REPORTS • CONSULTATION

NYSDOH ILAP #0081  
Daniel M. Parnick, Director

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CONTINUATION OF DATA FOR SAMPLE NUMBER 10410

ANALYSIS	METHOD	ANALYSTS DATE	BY	RESULT UNITS	DET. LIMIT
DEBROMOMETHANE	EPA 524.2			< 0.50 ug/L	0.50
1,2-DICHLOROBENZENE	EPA 524.2			< 0.50 ug/L	0.50
1,3-DICHLOROBENZENE	EPA 524.2			< 0.50 ug/L	0.50
1,4-DICHLOROBENZENE	EPA 524.2			< 0.50 ug/L	0.50
DICHLORODIFLUOROMETHANE	EPA 524.2			< 0.50 ug/L	0.50
CIS-1,2-DICHLOROETHANE	EPA 524.2			9.21 ug/L	0.50
1,1-DICHLOROETHANE	EPA 524.2			< 0.50 ug/L	0.50
1,2-DICHLOROETHANE	EPA 524.2			< 0.50 ug/L	0.50
1,1-DICHLOROETHENE	EPA 524.2			< 0.50 ug/L	0.50
TRANS-1,2-DICHLOROETHENE	EPA 524.2			< 0.50 ug/L	0.50
1,2-DICHLOROPROPANE	EPA 524.2			< 0.50 ug/L	0.50
1,3-DICHLOROPROPANE	EPA 524.2			< 0.50 ug/L	0.50
2,2-DICHLOROPROPANE	EPA 524.2			< 0.50 ug/L	0.50
1,1-DICHLOROPROPENE	EPA 524.2			< 0.50 ug/L	0.50
TRANS-1,3-DICHLOROPROPENE	EPA 524.2			< 0.50 ug/L	0.50
ETHYLENE	EPA 524.2			< 0.50 ug/L	0.50
HEXACHLOROBTADIENE	EPA 524.2			< 0.50 ug/L	0.50
METHYLENE CHLORIDE	EPA 524.2			< 0.50 ug/L	0.50
NAPHTHALENE	EPA 524.2			< 0.50 ug/L	0.50
N-PROPYLBENZENE	EPA 524.2			< 0.50 ug/L	0.50
STYRENE	EPA 524.2			< 0.50 ug/L	0.50
TOLUENE	EPA 524.2			< 0.50 ug/L	0.50
TRICHLOROETHENE	EPA 524.2			1.06 ug/L	0.50
TRICHLOROFLUOROMETHANE	EPA 524.2			< 0.50 ug/L	0.50
1,1,1,2-TETRACHLOROETHANE	EPA 524.2			< 0.50 ug/L	0.50
1,1,2,2-TETRACHLOROETHANE	EPA 524.2			< 0.50 ug/L	0.50
TETRACHLOROETHENE	EPA 524.2			< 0.50 ug/L	0.50
1,2,3-TRICHLOROBENZENE	EPA 524.2			< 0.50 ug/L	0.50
1,2,4-TRICHLOROBENZENE	EPA 524.2			< 0.50 ug/L	0.50
1,1,2-TRICHLOROETHANE	EPA 524.2			< 0.50 ug/L	0.50
1,2,3-TRICHLOROPROPANE	EPA 524.2			< 0.50 ug/L	0.50

# Testing Results

## Environmental Laboratories

Summary of Recent Sample Results Union Springs Raw Groundwater at Well Site					
Date Sampled					
Constituent	2/16/2011	8/9/2011	11/17/2011	2/7/2012	5/9/2012
Cis 1-2,DCE	9.21	6.79	7.00	4.00	6.90
TCE	1.06	0.81	0.68	<0.5	<0.5
Note: NYSDOH MCL is 5 ug/L for these constituents units = ug/L					